

## COUNCIL PROCEEDINGS

A regular meeting of the Farmington City Council was held on Monday, March 15, 2004 in Council Chambers, 23600 Liberty Street, Farmington, Michigan. Notice of the meeting was posted in compliance with Public Act 267-1976.

The meeting was called to order at 8:00 p.m. by Mayor Campbell.

**PRESENT:** Bush, Campbell, Knol, McShane, Mitchell.

**ABSENT:** None.

**OTHERS PRESENT:** Clerk/Treasurer Cantrell, Director Goss, City Manager Pastue, Assistant City Manager Richards, Assistant Director Smith, Attorney Schultz.

### **APPROVAL OF AGENDA**

**03-04-053** Motion by Bush, seconded by McShane, to approve the agenda as submitted. MOTION CARRIED UNANIMOUSLY.

### **MINUTES OF PREVIOUS MEETING**

**03-04-054** Motion by McShane, seconded by Knol, to approve minutes of the following Council meetings:

- Regular and Study Session minutes of March 1, 2004
- Joint Meeting minutes of February 24, 2004 with Cities of Farmington/Farmington Hills and Farmington Board of Education

MOTION CARRIED UNANIMOUSLY.

### **REPORTS AND PRESENTATIONS**

#### **INTRODUCTION OF SAMANTHA STECKLOFF, MISS FARMINGTON/OAKLAND COUNTY 2003-2004**

Ms. Steckloff discussed her current activities as Miss Farmington/Oakland County including her involvement with youth programs.

#### **“LIGHTS...CAMERA...CALL TO ACTION!” – PRESENTED BY SUZANNE LICHTMAN**

Ms. Lichtman announced that “Lights...Camera...Call to Action”, sponsored by the Farmington/Farmington Hills Call to Action Coalition, will be held on Thursday, April 1, 2004 at the Farmington Civic Theatre. She stated that this Hollywood themed event is the Coalition’s first fundraising endeavor and proceeds would go to the Jon Grant Memorial Fund.

COUNCIL PROCEEDINGS -2-  
March 15, 2004

Council congratulated Ms. Lichtman and the Coalition for organizing this worthwhile event.

**COUNTY COMMISSIONER UPDATE – MICHAEL ROGERS**

County Commissioner Rogers announced an Oakland County meeting planned for Thursday, March 25, 2004, regarding Detroit Water and Sewer rates. He stated the meeting will be attended by Detroit Mayor Kilpatrick and will focus on rates, the rate formula, the water consortium, as well as the make-up of the Water Board. He stated the importance of City leadership attending this meeting and providing their input.

Mr. Rogers discussed revenue sharing issues, the impact of proposed legislation regarding the consolidation of property tax collections and new sentencing guidelines for felons which are expected to increase incarcerations at the County jail.

Responding to a question from Council, Mr. Rogers stated that educating legislators on the impact of proposed legislation on Counties and Cities is the most effective way to combat it.

Discussion followed regarding the training and staffing of County officers that would be needed in order to accommodate a proposed increase in the number of prisoners at the County level.

Mayor Campbell clarified for the public the proposed legislation on tax collection. He stated that, under the proposed legislation, winter and summer property tax collections would be combined providing for a single payment to be made in the summer. He further stated the need to educate the public on the impact of this legislation.

Mr. Rogers advised that in April the Community and Economic Development Department of Oakland County will be conducting a seminar on the Emerald Ash Borer and noted that there may be state grants to address this problem.

**RESOURCE RECOVERY AND RECYCLING AUTHORITY OF SOUTHWEST OAKLAND COUNTY (RRRASOC) 2003 ANNUAL REPORT – MIKE CSAPO, GENERAL MANAGER**

Mr. Csapo was present to review RRRASOC'S 2002 annual report and discuss some of last year's activities. He stated that the City of Farmington continues to outperform other communities in its recycling efforts. He further cited the cost effectiveness of Farmington's recycling program. He reported the results of a recent resident survey taken by Oakland Community College that indicated that 90% of Farmington/Farmington Hills residents think that recycling is important to the environment. He spoke about the reduction in environmental pollution as a result of recycling.

COUNCIL PROCEEDINGS -3-  
March 15, 2004

He reported on upcoming activities for 2004 that include an open house on October 2<sup>nd</sup> from 11:00 a.m. to 4:00 p.m., to celebrate the 10-year anniversary of RRRASOC. He discussed upcoming hazardous waste programs and reduction of costs by 40% due to contracting with a new vendor. He stated that there is always a good response from the Farmington community in disposal of hazardous waste.

Mr. Csapo discussed a free business waste audit program that was introduced last year to assist businesses in finding opportunities to recycle, cut waste and cut costs. He spoke about a block leader program that educates residents on recycling so they in turn can provide information to their neighbors.

Responding to a question from Council, Mr. Csapo stated that the proposed landfill surcharge legislation is bottled up in Committee and is very likely to stay there. He noted that there continues to be significant opposition to this state legislation. He explained that in the latest version of the proposed bill, Farmington would not be negatively impacted, but in fact would be rewarded for investing in recycling.

Mayor Campbell suggested that RRRASOC consider doing a cable program as part of their 10-year anniversary recognition.

### **PETITIONS AND COMMUNICATIONS**

#### **FARMINGTON COMMUNITY ARTS COUNCIL – REQUEST FOR BANNERS OVER GRAND RIVER AVENUE**

Administration advised that the Farmington Community Arts Council has requested approval to hang two banners over Grand River Avenue to promote the Festival of the Arts.

**RESOLUTION 03-04-055** Motion by Bush, seconded by Knol, to approve the request of the Farmington Community Arts Council to hang two 25' x 5' mesh banners across Grand River Avenue; one between School and Mayfield Streets and one near the Governor Warner Mansion; from April 19 through May 3, 2004. MOTION CARRIED UNANIMOUSLY.

#### **REQUEST FOR OUTDOOR SEATING – ANNA'S CAFÉ' & BASKETS, 23622 FARMINGTON ROAD**

Administration advised that Anna's Café and Baskets has requested approval for outdoor seating. Administration further advised that this request is different from others in that it is located in the public right-of-way, therefore the City Attorney has prepared an agreement to protect the City from potential claims related to the chairs and tables.

COUNCIL PROCEEDINGS -4-  
March 15, 2004

**RESOLUTION 03-04-056** Motion by McShane, seconded by Knol, to approve outdoor seating at Anna's Café & Baskets, 23622 Farmington Road, through November 30, 2004, allowing the placement of two tables and four chairs flush against the storefront, subject to a signed Agreement Regarding Sidewalk Use; to authorize the City Attorney to amend the sidewalk agreement adding a provision for the removal of chairs and tables each evening; and authorize the Mayor and City Clerk to sign the amended agreement. **[SEE ATTACHED AGREEMENT]**. MOTION CARRIED UNANIMOUSLY.

**REQUEST FOR OUTDOOR SEATING – DIMITRI'S RESTAURANT, 33200 GRAND RIVER AVENUE**

Administration advised that Dimitri's Restaurant has requested outdoor seating on both the Grand River and Warner Street sides of the building. Administration recommended that the sidewalk around the seating be widened to 7' in order to allow room for pedestrians. Administration further advised that Council might consider a requirement that the materials of the chairs and tables be approved by the Downtown Development Authority.

Basile Anastasiou was present to respond to Council questions.

**RESOLUTION 03-04-057** Motion by Knol, seconded by Bush, to approve outdoor seating at Dimitri's Restaurant, 33200 Grand River Avenue, allowing the placement of three tables and six chairs on both the Warner Street and Grand River Avenue sides of the building, all flush against the building; subject to review and approval by the Downtown Development Authority; and contingent on the owner widening the sidewalk to 7' around the outdoor seating area. MOTION CARRIED UNANIMOUSLY.

**MOSLEM SHRINERS – PERMISSION TO CONDUCT ANNUAL FUND DRIVE**

Administration recommended granting permission for this annual fundraising event to benefit Shriners Hospitals for Children.

Responding to a question from Council, Director Goss stated that solicitation would not take place in the streets.

**RESOLUTION 03-04-058** Motion by Mitchell, seconded by McShane, to grant permission to the Moslem Shrine Temple to conduct their annual fundraising drive on June 10, 11 and 12, 2004 in the City of Farmington. MOTION CARRIED UNANIMOUSLY.

**AMERICAN LEGION – POPPY DAYS SALE AND PROCLAMATION**

Administration recommended granting permission for this annual fundraising event.

COUNCIL PROCEEDINGS -5-  
March 15, 2004

**RESOLUTION 03-04-059** Motion by Bush, seconded by McShane, to grant permission to the American Legion Groves-Walker Post #346, to conduct their annual Poppy Days sale on May 13, 14 and 15, 2004 and to proclaim these dates as “Poppy Days” in the City of Farmington. MOTION CARRIED UNANIMOUSLY.

**PUBLIC HEARING RE: SPECIAL ASSESSMENT IMPROVEMENT – PRINCIPAL SHOPPING DISTRICT**

Mayor Campbell opened the public hearing and invited comment regarding a renewal of the Principal Shopping District special assessment.

David Cornwell, owner of several properties in the Downtown District, stated that he represents a group that pays a significant portion of the special assessment that is now under consideration. He further stated his support for the Downtown Development Authority, but expressed concern that projects that would cost very little have been overlooked. He stated that a number of these projects were discussed at a meeting of the Economic Restructuring Committee held in 2003, but due to timing these projects were delayed. He noted that streets in Downtown Farmington are still too sterile and difficult to cross. He encouraged Council’s consideration of these projects, including one to improve designation of pedestrian crosswalks. He stated that in order to promote activity and vibrancy in the Downtown, Council should encourage outdoor seating at food establishments and pedestrians must be made a priority over traffic. He further suggested more flexibility in signage requirements for Downtown Businesses. He also suggested that more events be held in Memorial Park.

There being no further comments Mayor Campbell called for a motion to close the public hearing.

Mayor Campbell thanked Mr. Cornwell for his comments.

**03-04-060** Motion by Mitchell, seconded by McShane to close the public hearing. MOTION CARRIED UNANIMOUSLY.

**REPORTS FROM CITY MANAGER**

**PRINCIPAL SHOPPING DISTRICT RENEWAL – PUBLIC HEARING AND RESOLUTION OF NECESSITY**

Administration advised that the Downtown Development Authority (DDA) has recommended that City Council renew the Principal Shopping District special assessment for a three-year period in the amount of \$450,000. Administration further advised that the DDA is in the initial phase of establishing the Main Street Program and that within three years it will be fully functional and the use of a special assessment may need to be altered based on possible change in direction from the Main Street Program.

COUNCIL PROCEEDINGS -6-  
March 15, 2004

Administration further advised that upon approval of this special assessment by Council, the only remaining requirement would be the adoption of the annual special assessment roll.

**RESOLUTION 03-04-061** Motion by Bush, seconded by Mitchell, to adopt a Resolution of Necessity to provide a three-year renewal of the Principal Shopping District Special Assessment, beginning July 1, 2004 through June 30, 2007, as recommended by the Downtown Development Authority. [SEE ATTACHED RESOLUTION].

**ROLL CALL**

Ayes: Campbell, Knol, McShane, Mitchell, Bush.

Nays: None.

Absent: None.

MOTION CARRIED UNANIMOUSLY.

**RESOLUTION TO SCHEDULE PUBLIC HEARING TO VACATE ALLEY IN FLORAL PARK SUBDIVISION**

Administration advised that the site for the Flagstar Bank development on Grand River Avenue and Orchard Lake Road currently has water and sewer lines that Flagstar has agreed to relocate at their expense. Administration further advised that as part of an agreement with Flagstar, the City would vacate the existing alley on the site; Flagstar would relocate the water and sewer lines and provide the City with an easement for all construction and maintenance associated with the lines.

Administration also advised that the first step in the process of vacating an alley is to schedule a public hearing.

**RESOLUTION 03-04-062** Motion by McShane, seconded by Knol, to adopt a resolution to schedule a public hearing for April 5, 2004 at 8:00 p.m. to accept comment regarding a proposal to vacate an alley in the Floral Park Subdivision. [SEE ATTACHED RESOLUTION]. MOTION CARRIED UNANIMOUSLY.

**ACCEPTANCE OF BROWNFIELD REDEVELOPMENT FINANCIAL REPORT**

Administration advised that the Brownfield Redevelopment Authority did not approve any projects that would have led to application for single business tax credits or tax increment financing for period ending June 30, 2003.

**03-04-063** Motion by Bush, seconded by Mitchell, to accept the financial report for the City of Farmington Brownfield Redevelopment Authority for the period ending June 30, 2003 and authorize that it be filed with the Michigan Tax Commission. MOTION CARRIED UNANIMOUSLY.

## **CONSIDERATION FOR ACTUARIAL VALUATION REGARDING RETIREE ANNUAL BENEFIT**

Administration advised that the Retirement System currently does not have a process to review the annual benefits of retirees and that it has been six years since such a review has taken place. Administration further advised that the Retirement System Board of Trustees has adopted a resolution requesting confirmation of retiree pension benefits prior to June 30, 2004 for actuarial valuation purposes.

Administration recommended that Council authorize the preparation of an actuarial valuation to determine the cost of an increase in retiree benefits.

Responding to a question, City Manager Pastue stated that the pension plan does not currently provide cost-of-living benefits.

**RESOLUTION 03-04-064** Motion by Bush, seconded by McShane, to authorize City administration to secure an actuarial valuation to determine the cost of increasing monthly benefits for retirees. MOTION CARRIED UNANIMOUSLY.

## **CONSIDER APPROVAL OF DIGITAL PROJECTION EQUIPMENT FOR CIVIC THEATRE**

Assistant City Manager Richards described the many new programs planned for the Civic Theatre. He discussed implementation of a program that would provide businesses the opportunity to advertise prior to movies, as well as providing public service announcements and information about upcoming community events. He explained that in order to implement this program digital projection equipment is required.

Richards discussed the process by which a subcommittee of the Civic Theatre Committee determined the type and quality of digital equipment needed. He cited several events planned in the coming months where the equipment would be used.

Responding to a question, Charles Paul of the Civic Theatre Committee, stated the equipment is industrial strength quality and should last indefinitely.

Responding to an additional question, Mr. Paul stated that the initial marketing plan for the Civic is to focus on the Farmington community.

Council member McShane encouraged the Committee to publicize the opportunity to advertise at the Civic through cable, local newspapers and the City's website.

Discussion followed regarding other sources of revenue for the Theatre.

COUNCIL PROCEEDINGS -8-  
March 15, 2004

Council member Bush asked about a rental contract for renting the equipment. Richards responded that rental agreements would be arranged by the Theatre management, MKA, Inc. He stated that an incentive might be offered to rent the equipment as part of the theatre rental package. Discussion followed regarding rental rates and policy for the equipment.

Responding to an additional question, Richards stated that the MKA staff would be trained to operate the equipment. He further responded that the equipment is warranted and tech support is available.

Mayor Campbell recommended the establishment of guidelines with regard to the quality of the advertisements and the length of time they are shown.

Council member McShane asked if the brochure, originally created for publicizing the Civic Theatre, could be used in the Committee's current marketing program. Richards responded that the brochure was specifically created as a marketing tool to be used by the former DDA Director. He stated that they are currently distributed on a limited basis.

**RESOLUTION 03-04-065** Motion by Mitchell, seconded by McShane, to approve the purchase of two digital projector systems for the upper and lower levels of the Civic Theatre for an amount not to exceed \$33,272.60; in part from Blue Water Technologies for an amount not to exceed \$30,100 for projectors, cables, computer interface, DVD player, lens, spare bulbs, wireless remote installation, laser pointer and delivery; and from McElroy & Associates for an amount not to exceed \$3,172.60 for computer workstations, MS PowerPoint Software, installation and delivery; and to waive the regular purchasing policy due to the professional service nature of the purchase and installation and the immediate need for the equipment.

**ROLL CALL**

Ayes: Knol, McShane, Mitchell, Bush, Campbell.

Nays: None.

Absent: None.

MOTION CARRIED UNANIMOUSLY.

**MISCELLANEOUS**

**PUBLIC COMMENT**

None were heard.

**COUNCIL COMMENT**

Council member Mitchell asked what more could be done to more clearly designate pedestrian walks in the Downtown. City Manager Pastue stated that the Main Street



COUNCIL PROCEEDINGS -9-  
March 15, 2004

Design Committee provided some earlier recommendations regarding this matter, however, the City has had some difficulty with MDOT in implementing changes.

Joyce Cornwell, President of the Downtown Development Authority, stated that the Main Street Design Committee has focused on the need for traffic signs that alert drivers to pedestrian crosswalks.

Council member McShane cited three objectives of the Design Committee: signage, outdoor seating and traffic calming and safety.

Ms. Cornwell stated that the Design Committee will also address the issue of non-essential truck traffic.

Council member Knol stressed the importance of moving forward on the signage issue in the Downtown area.

Council member Bush noted that this would be the last Council meeting for Director Gary Goss who will retire on March 26, 2004. Council recognized Director Goss's twenty-five years of leadership with a standing ovation.

**ADJOURNMENT**

**03-04-066** Motion by McShane, seconded by Knol, to adjourn the meeting. MOTION CARRIED UNANIMOUSLY.

Meeting adjourned at 9:32 p.m.

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Arnold T. Campbell, Mayor

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Patsy K. Cantrell, City Clerk/Treasurer